

SENATE CONCURRENT RESOLUTION 5—RELATING TO THE USE OF THE ROTUNDA OF THE CAPITOL FOR A CEREMONY FOR VICTIMS OF THE HOLOCAUST

Mr. STEVENS submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 5

Whereas, pursuant to such Act, the United States Holocaust Memorial Council has designated April 23 through April 30, 1994, as "Days of Remembrance of Victims of the Holocaust"; and

Whereas the United States Holocaust Memorial Council has recommended that a one-hour ceremony to be held at noon on April 27, 1995, consisting of speeches, readings, and musical presentations as part of the days of remembrance activities: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the rotunda of the United States Capitol is hereby authorized to be used on April 27, 1995 from 8 o'clock ante meridian until 3 o'clock post meridian for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust. Physical preparations for the conduct of the ceremony shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

AMENDMENTS SUBMITTED

BALANCED BUDGET AMENDMENT

WELLSTONE AMENDMENTS NOS. 235–236

(Ordered to lie on the table.)

Mr. WELLSTONE submitted two amendments intended to be proposed by him to the joint resolution (H.J. Res. 1) proposing a balanced budget amendment to the Constitution of the United States; as follows:

AMENDMENT NO. 234

On page 2, line 3, following the word "unless", insert the following:

"(a) compliance with this requirement would increase the number of hungry or homeless children, or (b)".

AMENDMENT NO. 235

On page 2, line 3, following the word "unless", insert the following:

"(a) a majority of the whole number of each House of Congress shall determine that compliance with this requirement would not provide for the common defense and promote the general welfare, or (b)".

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. COATS. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Tuesday, February 7, at 9:30 a.m., in SR-332, to discuss what tax policy reforms will help strengthen American agriculture and agribusiness.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. COATS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Tuesday, February 7, at 9:30 a.m. in open session to receive testimony on U.S. national security strategy.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. COATS. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on Tuesday, February 7, at 9:30 a.m. for a hearing on the subject of regulatory reform.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

REGARDING THE COURAGE OF MRS. DEVORAH HALBERSTAM

• Mr. D'AMATO. Mr. President, I rise today to present the remarks of a courageous woman, Devorah Halberstam, whose son Ari was brutally murdered by Rashid Baz on March 1, 1994, in a cowardly act of terrorism on the Brooklyn Bridge.

Mrs. Halberstam's statement before New York State Supreme Court Justice Harold Rothwax on January 18, 1995, took place before the sentencing of Rashid Baz, who subsequently received 141 years in prison for a single count of second-degree murder, 14 counts of attempted murder in the second-degree, and one count of criminal use of a firearm in the first-degree.

Mr. President, what happened that day on the Brooklyn Bridge was nothing less than an act of terrorism and we should call it just that. Ari Halberstam was murdered for one reason: He was a Jew.

In her poignant statement before the court, Mrs. Halberstam relates a tearful plea that she hopes that what happened to her and her family, never happen to any other family. Her statement is a powerful one and I urge my colleagues to read it so that they may gain a greater insight into the sorrow and grief suffered by a woman whose son was taken from her in an act of terrorism.

Mr. President, I ask that the text of Mrs. Halberstam's statement be included in the RECORD following the conclusion of my remarks.

The statement follows:

STATEMENT BY MRS. DEVORAH HALBERSTAM BEFORE STATE SUPREME COURT JUSTICE HAROLD ROTHWAX, JANUARY 18, 1994

Your Honor: Fourteen boys testified before this Court. Fourteen very special young men whose pure and innocent lives are dedicated to the betterment of our world. Fourteen adolescents whose own lives were forever changes on the Brooklyn Bridge less than a year ago on March 1st.

But the youngest of the students—the fifteenth—his voice was silent. And will remain silent forever.

Ari's blue eyes were deep as the ocean—windows to a soul in which I swam and energized myself every day of his 16 brief years.

A soul who feared nothing but the Almighty, whose humility was an inspiration, whose days and nights were testimony to the heights of human endeavor and aspiration.

A soul hand-picked by the Lubavitcher Rebbe and the Rebbe's wife, to serve as their surrogate child from earliest infancy, to be surrounded by their holiness and kindness and universal love.

A gem of a human being who combined the rigors of Chassidic life with its long days of study, with a grace on the basketball court that was star quality. A mere child who would jump at the opportunity—and they were numerous—to relinquish his own bed to a tired guest. A prince of a boy who was generous to a fault with his time—always ready to listen to a troubled friend.

But above all he loved his family, especially his sisters and brothers.

That, your honor, was my son Ari.

That, your honor is the witness who could not be here to testify.

Which is why I have gathered what fragments are left of my energy and sanity, your honor, to address this court today.

On May 6, 1977, I was blessed and overjoyed as my first born son Ari came into this world.

On March 1, 1994 I was there at his side watching as the final color of life ebbed from his dying face. And on that day, I too died your honor. And my husband.

Our lives will never be the same. Yes, my life has been forever shattered by the hot bullet released by Rashid Baz's cold and calculating and viciously Jew-hating hand.

Your honor, we are compelled to look at the shocking and outrageous events that are going on in our world.

Several weeks ago, Islamic terrorists hijacked a French airliner with nearly 200 passengers. Their intent was to explode the jet in the heart of Paris in a suicide mission that would have killed thousands.

Their mission was not the complete success they had hoped for—instead of thousands, only five innocent civilians were actually murdered.

That very week, an Islamic terrorist—explosives strapped to his body—detonated himself beside a crowded public bus in the heart of Jerusalem. His mission was not the complete success he had hoped for—because only one person was seriously wounded, four others less seriously. The 50 passengers on the target bus were miraculously unharmed.

Two years ago, Islamic terrorists attempted to detonate the World Trade Center hoping to collapse a 110 story building and kill tens of thousands of our fellow Americans.

Their mission was not the complete success they had hoped for—because only 6 were actually killed and dozens more wounded.

On March 1st of last year an Islamic terrorist armed with an arsenal of sophisticated weapons stalked a van carrying 15 Rabbinical students on the Brooklyn Bridge with the intent to kill them all. His mission was not the complete success he had hoped for—because only one of the fifteen was killed—And that as you know, was my precious son Ari.

Your honor. The civilized world cannot afford "failures" like these.

Each day, innocent people—men, women and children—are being targeted in the cross hairs of these mass murderers who would kill and wound indiscriminately, not only others, but even themselves.

They murder with the sanction and participation of governments in Teheran and

Baghdad, Damascus, Lebanon, Tripoli and Khartoum. Governments whose representatives roam our streets freely. Whose diplomatic pouches—laden with plastic explosives and conventional weapons—are inviolate. Whose treacherous plans sews destruction, mayhem and terror in the hearts of civilized people everywhere.

They murder with the blessing of fanatical religious leaders—some of whom are guests in this great land.

They murder in the name of a god they call "Allah the Merciful."

These killers are a disgrace to all people of faith, including the many millions of their own coreligionists who pray for peace in their hearts but dare not speak peace because they fear for their lives.

These murderers respect no territorial boundaries. They obey no law. They view anybody and everybody, but especially Jews, as fair game. They believe—not without justification—the more blood they shed the more ready the world will be to capitulate to their nefarious and bloodthirsty aims.

A cowardly world hands down token sentences to those who are apprehended. Spineless western governments discreetly free some of the most wanton mass killers—releasing them into the hands of the very fundamentalist, dictatorships and theocracies which dispatched them in the first place.

They do this in order to improve their balance of trade, or worse yet, as a payoff, selfishly and foolishly hoping to forestall further acts of terrorism against their own people and on their own territory. This, your honor, is the world we live in. And the time has come to say, "Enough, we won't take it anymore."

I have addressed you on behalf of a civilized world which will be further threatened, further degraded, and further destabilized if this killer gets anything less than the maximum sentence you can give.

The man you will sentence today, Rashid Baz, killed my baby. And robbed Nachum Sossonkin of his youth. And he felt immune and invincible because the world's track record in dealing with his kind is an embarrassment to all civilized and justice-loving people.

The jury which declared this murderer guilty showed incredible personal courage in reaching its verdict. Because the community of Islamic terrorists is as vindictive as it is sadistic.

Yes, Rashid Baz's mission on the Brooklyn Bridge was a failure. Because 14 of his 15 intended victims are still alive.

But for me, my husband, my aged parents, and my four other children—as for the mothers and fathers and grandparents and sisters and brothers and sons and daughters of the other murder victims from those other "failures" I mentioned before—his mission was a success.

For we will never see our Ari again * * * For I will never see my tall, beautiful, kind, scholarly, charming, friendly 16 year old son grow to maturity * * * For my younger children will never again have the loving, compassionate guidance of the older brother they adored * * * For my husband and I will never see the grandchildren we had expected.

And the generations upon generations of descendants that were to have come from Ari will never be—generations that were meant to replace and replenish the catastrophic loss of Jewish life that is our legacy from the Holocaust.

On March 1st Rashid Baz murdered Ari. But he also sentenced me and my family to a lifetime of mourning. To an endless series of sleepless nights. To a wound which can never heal. To a living death which chips away at us, measured in the slow cadence of endless seconds * * * to a limbo of

joylessness which will end only when we ourselves are reunited with Ari.

Indeed, there is nothing that can happen here today, nothing you or anyone else can do to bring Ari back. There is no way to give me back all those years of joy, love and worry. There is no sentence that you can give Baz for my murdered heart or for the security that was robbed from the lives of my children and replaced instead with cobrains, glocks and terror.

What can you say to Ari's sister Sara who grew up side by side with him and was her best friend throughout her life?

Or Chanie, his sister who fears going into any taxicab.

Or Mendy, Ari's brother, who looked up to Ari as his mentor and protector. And who lost his older brother on the day of his birthday.

Or Ari's four year old brother, who keeps asking me when Ari will be back. And whose last prayer at night is I love you Ari with my whole heart please come back home.

Your honor, our pain is too great to bear. We long for our son constantly. We listen for his footsteps and voice in our home.

Yet life must go on, and justice, the inadequate justice that humans can mete out, must be done.

And now, your honor, it is your responsibility to show courage, and demonstrate that we in America are not cowards. That we do not capitulate to the blackmail of terrorism. That we value life and liberty. That those who would presume on American hospitality and freedom in order to bring civilization to its knees will find no refuge in this land. And that here, at least justice will prevail, and this cold blooded killer will never see the light of freedom again so long as he lives.

There is no death sentence in New York State. If there were, I would surely be tempted to ask for it.

Because death would send a message to the world that America knows how to deal with terror.

And death, too, might have brought a measure of finality to the horror me and my family have to live with.

But death, unfortunately, is not an option.

Which is why I beseech you, your honor, from a heart filled with pain and anguish, in the name of civilization and the values we hold dear, in memory of my son, and out of basic consideration for me and my family—sentence Rashid Baz to the very same sentence to which he sentenced us—namely, that not a day, not an hour, not a minute or a second of his life should go by without him being reminded of what he has done.

Remorse? The only remorse he has is over his faulty aim, and the fact that his mission was not completed entirely.

This murderer must live and die behind bars and barbed wire. He must spend the remainder of his natural life caged like the remorseless creature that he is. Deprived of any of the rights or freedoms he mocks. Separated from any opportunity to continue in his ways. Reduced to a number in the impersonal hell of prison. Consigned to a life of living death until God takes him and renders the eternal justice which we on earth cannot.

Your honor, this is the least you can do. Unfortunately, it is also the most.

Thank you.●

CRUELTY TO PATIENTS

● Mr. SIMON. Mr. President, one of the more thoughtful writers on our scene today is Joan Beck with the Chicago Tribune.

Recently, she had a column on our national health care system that takes a slightly different perspective on where we are and some of our problems.

I believe her comments merit serious consideration.

We are talking about some modification of the health care system this year.

On the floor of the Senate, several of us on both sides of the aisle have talked about the need for bipartisan cooperation.

I hope we can go ahead.

In the meantime, I urge my colleagues to read the Joan Beck column, and I ask to insert it into the RECORD at this point.

The column follows:

CRUELTY TO PATIENTS—NATION'S HEALTH CARE SYSTEM NEEDS AN EXAMINATION

(By Joan Beck)

Even without new federal legislation, health care in America is changing rapidly. Many of these changes are worrisome. Some are deadly scary.

Increasingly, the focus of medical care is becoming to reduce costs, to do only the minimum possible for patients, to wring money out of the system for a new set of corporate providers.

Fewer people are now allowed by HMOs and insurance company rules to see specialists. Far more surgery—more than half in many hospitals—is being done on an outpatient basis, often with assembly-line rules. Hospital stays after childbirth are often numbered in hours, not days.

Hospitals are cutting nursing staffs, lowering the level of patient care and substituting other caregivers with less training and lower pay. Teaching hospitals, with their higher costs and heavy load of patients needing specialized treatment, are getting squeezed.

Many doctors, like Ma and Pa stores swallowed up when a Wal-Mart comes to town, are losing their independence to a whole new world of corporate-managed health care.

Physicians, in fact, don't really seem to be major players in the health-care business these days. Politicians, administrators, employers, insurance companies, even the financial markets, are shaping the future of health care to an extent that makes many people highly uncomfortable—and may endanger their health.

There is a new emphasis on efficiency, not on humanitarianism and healing. Hospitals are competing for contracts from insurance companies, HMOs and big employers to care for large groups of people, often for a fixed, per-person fee. Then they must try to push down their costs however they can—by eliminating unnecessary tests and treatments, by being more efficient, by avoiding as many high-cost procedures as possible, perhaps even by taking risks with patients' health.

Federal efforts to pass national health-care legislation seem to be in hiatus for now, although Illinois Sen. Paul Simon has been trying to talk up the issue again. There are new threats to make drastic cuts and changes in Medicare and Medicaid. Congress may do some tinkering with insurance regulations.

But in the immediate future, changes in health care will not come from Washington. There will be more efforts by hospitals to trim costs. More efforts from HMOs, insurers and employers to get discount prices. More pressures on physicians to follow HMO and insurance company rules. More attempts at